



**US Army Corps
of Engineers**
Louisville District ®

Joint Public Notice

Public Notice No.
LRL-2016-821-mdh

Open Date:
20 Mar 2017

Close Date:
19 Apr 2017

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Michael Hasty, CELRL-RDN, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: 502-315-6691

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA) and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

APPLICANT: Gibson Development, LLC
3200 East Haythorne Avenue
Dallas, Texas 75202

AGENT: American Structurepoint
7260 Shadeland Station
Indianapolis, Indiana 46256

LOCATION: Streams and wetlands within a 44-acre parcel
northwest of State Route 46 and New Margaret Drive
in Terre Haute, Vigo County, Indiana.

Latitude: 39°-26'-37" (N)
Longitude: 87°-20'-09" (W)
7.5 Minute Quad: SEELYVILLE, INDIANA

PURPOSE: Commercial development.

DESCRIPTION OF WORK: The applicant proposes to construct a commercial development consisting of one (1) large 365,000 square foot building and seven (7) smaller outlot buildings (each to be approximately 5,400 square feet and 0.9 acre in size). Further, the development would include associated access roads, utilities, parking facilities and stormwater detention (see attached *Figures 1, 2, and 3*).

To facilitate this new development, the applicant proposes to impact approximately 268 linear feet of one (1) intermittent stream channel and 2.1 acres of four (4) emergent wetlands (see *Tables 1 and 2* on Page 2 of this notice for itemized proposed impacts to "waters of the United States (U.S.)"). Under the proposal, these waters would be filled with approximately 10,850 cubic yards of clean earthen fill material excavated on-site.

Table 1: Proposed Wetland Impacts

Water ID	Type	Impact/Activity	Impacts	
			Length (ft)	Area (ac)
Wetland A	Emergent	Fill/Structure	N/A	0.123
Wetland C	Emergent	Fill/Structure	N/A	1.907
Wetland E	Emergent	Fill/Structure	N/A	0.006
Wetland G	Emergent	Fill/Structure	N/A	0.061
Total Proposed Wetland Impacts:				2.1

Table 2: Proposed Stream Impacts

Water ID	RBP Score/Quality	Impact/Activity	Impacts	
			Length (lf)	Area (ac)
UNT-3 (Intermittent)	Poor	Fill/Structure	268	0.015
Total Proposed Stream Impacts:			268	0.015

AVOIDANCE and MINIMIZATION MEASURES: The applicant did consider design alternatives within the 44-acre parcel to reduce impacts. Specifically, by adjusting the original design layout, the applicant was able to avoid 0.256 acre of wetlands and 991 linear feet of stream channel.

MITIGATION MEASURES: The applicant proposes to provide compensation for the unavoidable wetland impacts associated with this project through the development of an off-site permittee responsible mitigation plan consisting of 4.139 acres of wetland creation and 0.110 acre of wetland enhancement. The proposed wetland mitigation site is located approximately 15 miles south of the proposed impact site. Both the impact site and the mitigation site are located within the Middle Wabash-Busseron Watershed (see *Table 3 and Figures 3-6*).

Table 3: Summary of Proposed Off-Site Permittee Responsible Mitigation Actions

Water	Action	Impacts	
		Length (lf)	Area (ac)
Emergent Wetlands	Creation	NA	4.139
Emergent Wetlands	Enhancement	NA	0.110
Total Proposed Mitigation:			4.249

In addition, the applicant proposes a monitoring plan with performance standards, a maintenance plan, a long term management plan, an adaptive management plan, a site protection instrument and financial assurances. Additional information on the details of the mitigation plan, or the proposal in general, may be obtained by request from this office.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

Regulatory Division
North Branch
Public Notice No. LRL-2016-821-mdh

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice may constitute the application for the 401 certification. The IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

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The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. Michael Hasty, CELRL-RDN at the address noted above and should refer to the Public Notice Number LRL-2016-821-mdh.

If you desire to submit your comments by email, you must comply with the following:

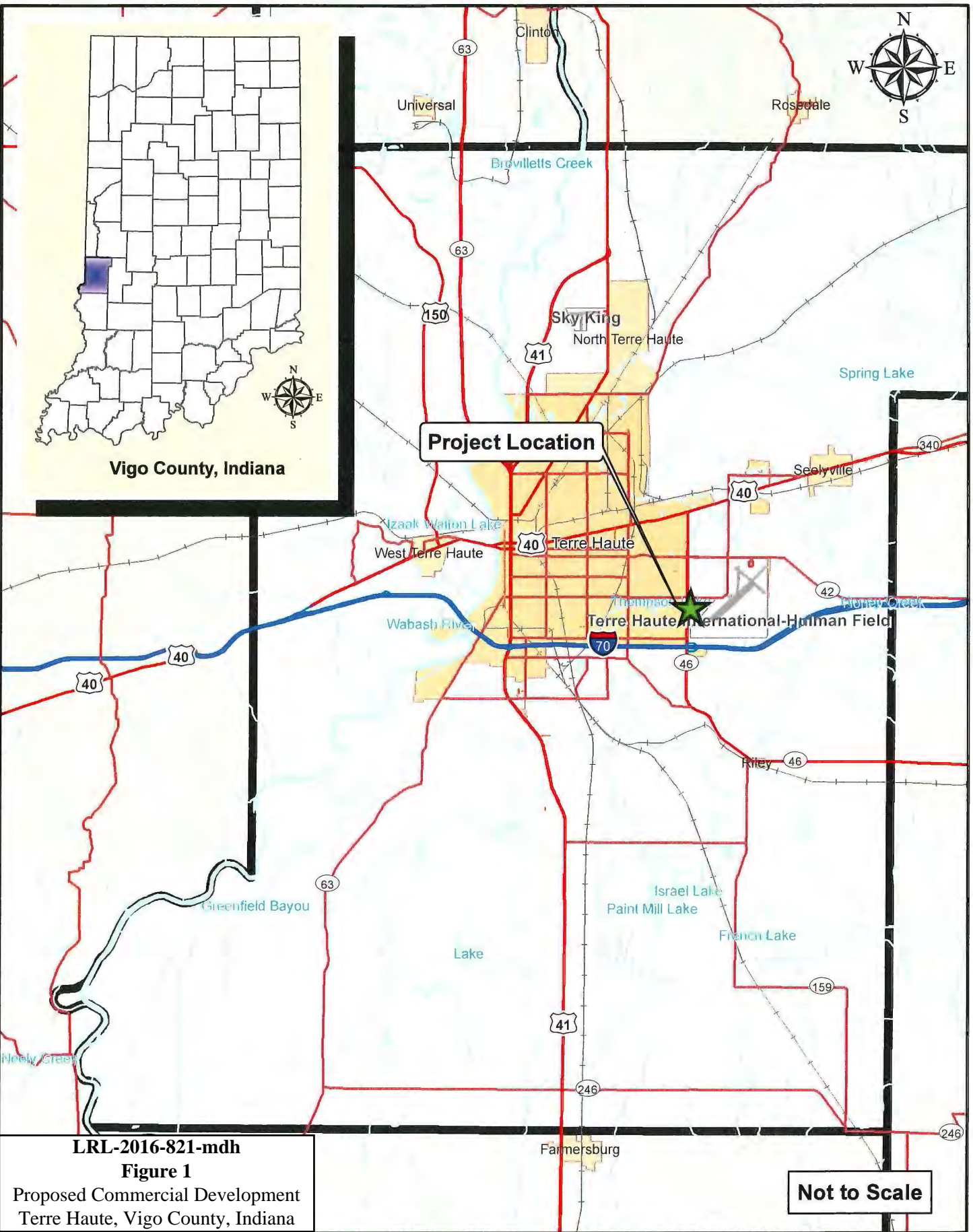
a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2016-821-mdh.

Example: LRL-2016-821-mdh (subject)

b) Provide your physical mailing address and telephone number.

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



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Figure 1

Proposed Commercial Development
Terre Haute, Vigo County, Indiana



AMERICAN
STRUCTUREPOINT
INC.

Project Location Map

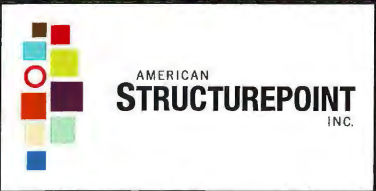
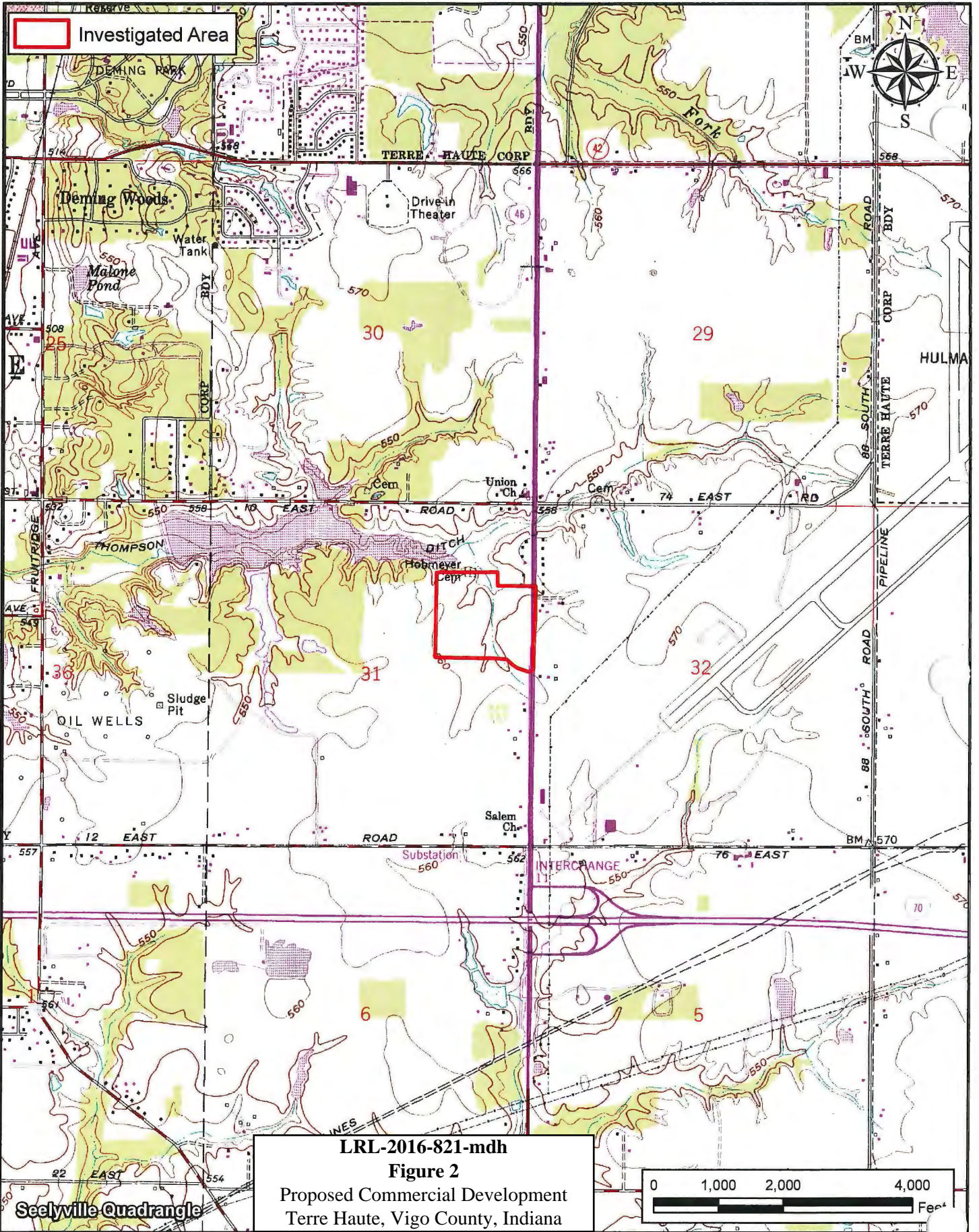
Terre Haute Department of Redevelopment
17 Harding Avenue
Terre Haute, Indiana 47807

New Margaret Avenue Parcels

Location: Terre Haute
Township: Lost Creek
County: Vigo
State: Indiana

Date:04/06/2016

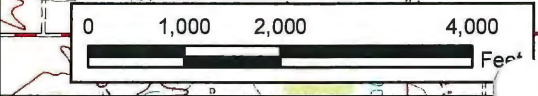
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Figure 2
Proposed Commercial Development
Terre Haute, Vigo County, Indiana

USGS Topographic Mapping

Terre Haute Department of Redevelopment
17 Harding Avenue
Terre Haute, Indiana 47807



New Margaret Avenue Parcels

Location: Terre Haute
Township: Lost Creek
County: Vigo
State: Indiana

Date: 04/06/2016

Figure 3

Proposed Commercial
Development
Terre Haute, Vigo
County, Indiana

AMERICAN
STRUCTUREPOINT
INC.
7269 Shadeland Station | Indianapolis, Indiana 46236
TEL 317.547.5580 | FAX 317.543.8270
www.ustrucurepoint.com

NEW MARGARET
AVENUE PARCELS

WETLAND
MITIGATION

S.R. 46 AND NEW
MARGARET AVE.

TERRE HAUTE, INDIANA

CERTIFIED BY

ISSUANCE INDEX

DATE:

12/01/2016

PROJECT PHASE:

PERMITTING

REVISION SCHEDULE



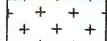




NO.	DESCRIPTION	DATE

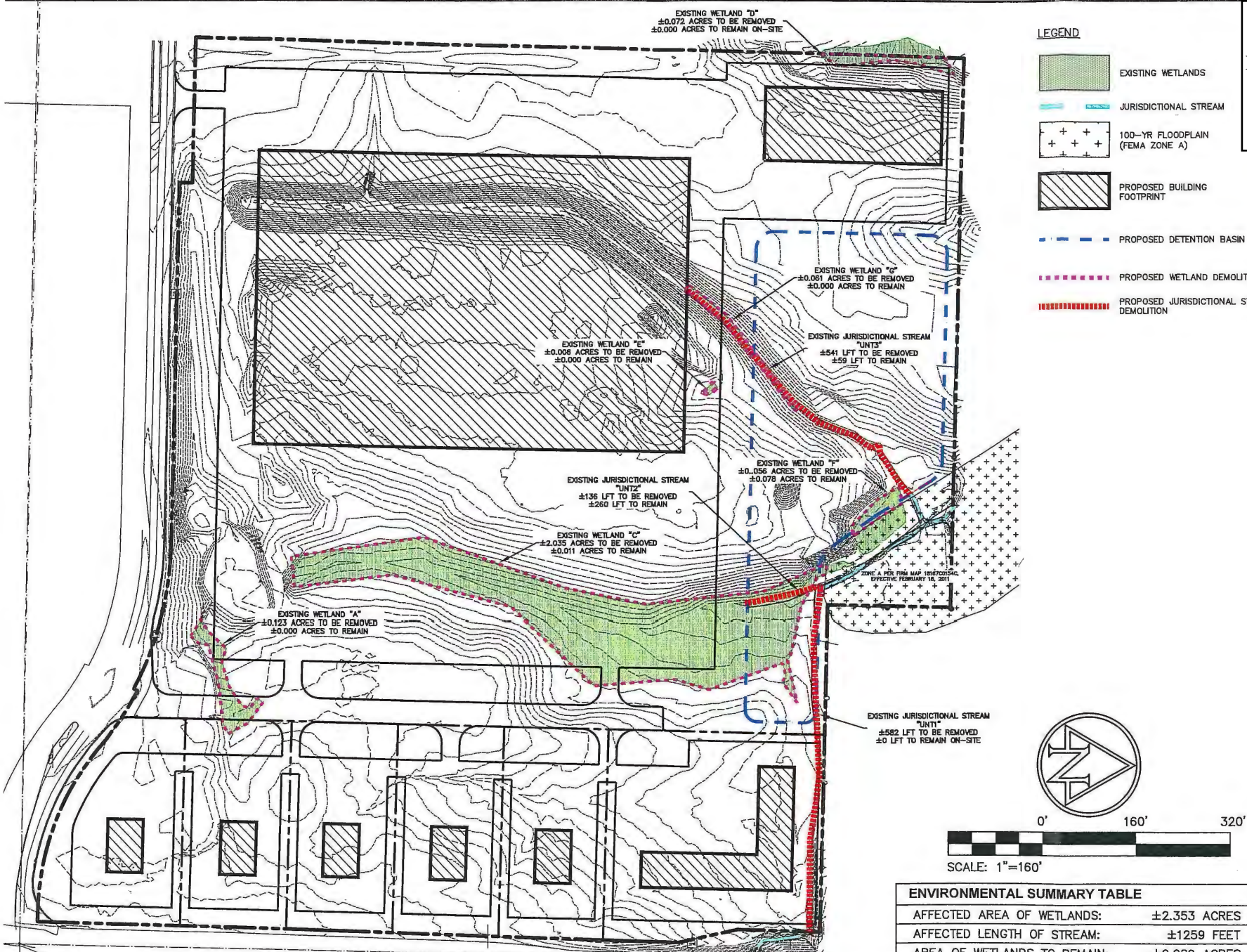
Project Number 2015.01566

SITE DEVELOPMENT

X.1

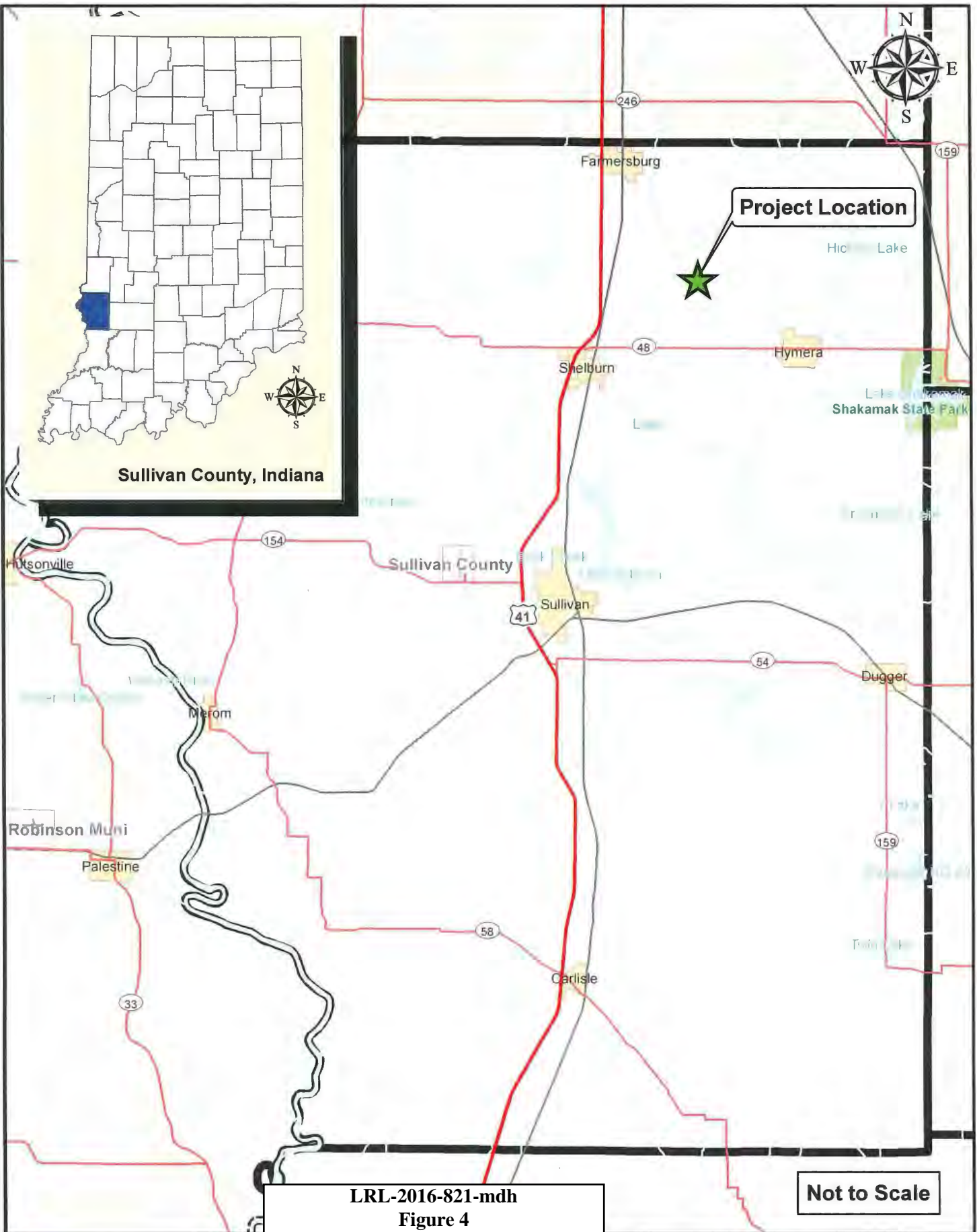
LEGEND

-  EXISTING WETLANDS
-  JURISDICTIONAL STREAM
-  100-YR FLOODPLAIN (FEMA ZONE A)
-  PROPOSED BUILDING FOOTPRINT
-  PROPOSED DETENTION BASIN
-  PROPOSED WETLAND DEMOLITION
-  PROPOSED JURISDICTIONAL STREAM DEMOLITION



ENVIRONMENTAL SUMMARY TABLE

AFFECTED AREA OF WETLANDS:	±2.353 ACRES
AFFECTED LENGTH OF STREAM:	±1259 FEET
AREA OF WETLANDS TO REMAIN:	±0.089 ACRES
LENGTH OF STREAM TO REMAIN:	±319 FEET



Not to Scale

LRL-2016-821-mdh
Figure 4
 Off-Site Mitigation Location
 Terre Haute, Vigo County, Indiana

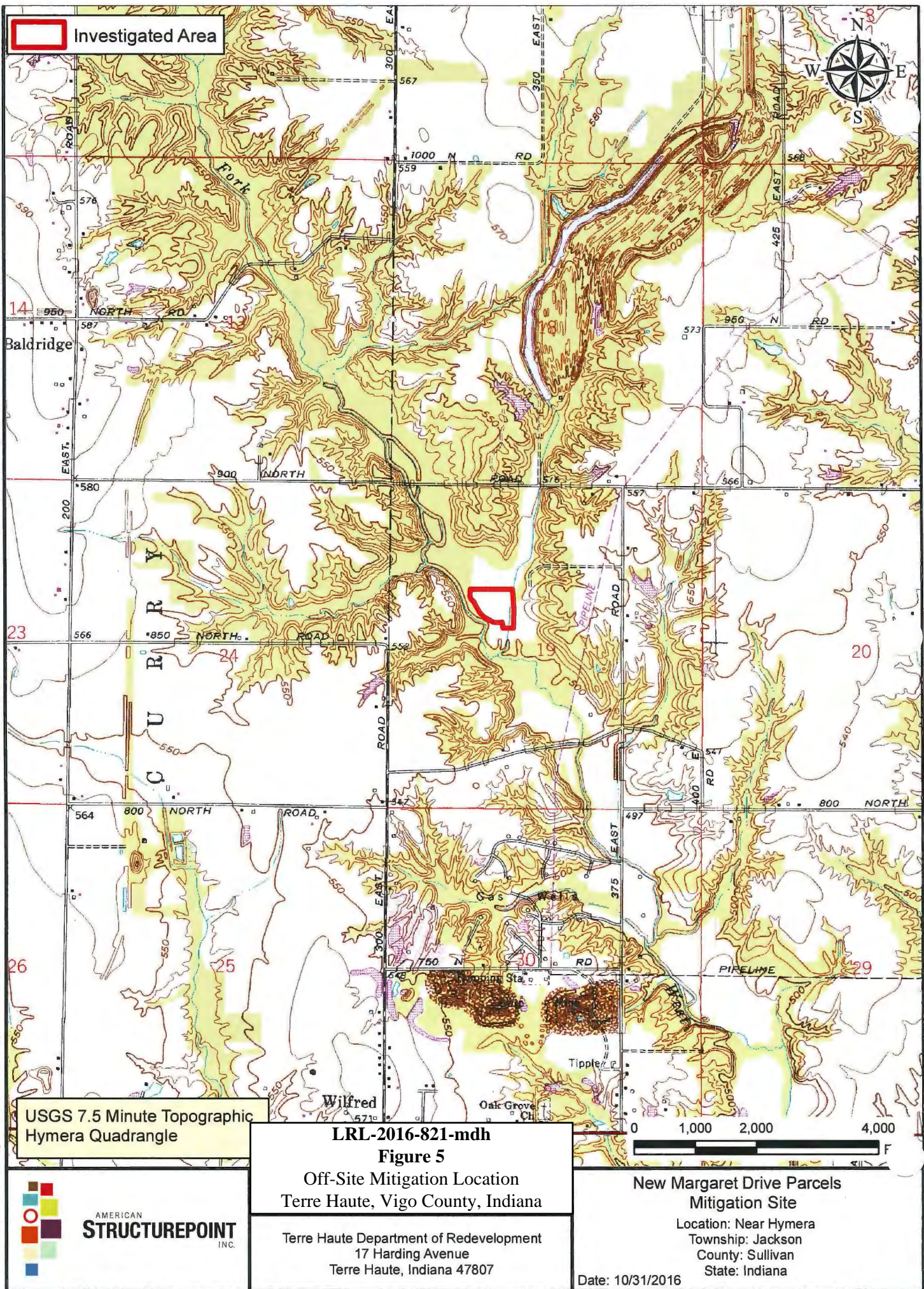
Terre Haute Department of Redevelopment
 17 Harding Avenue
 Terre Haute, Indiana 47807

New Margaret Drive Parcels
Mitigation Site
 Location: Near Hymera
 Township: Jackson
 County: Sullivan
 State: Indiana

Date: 10/31/2016



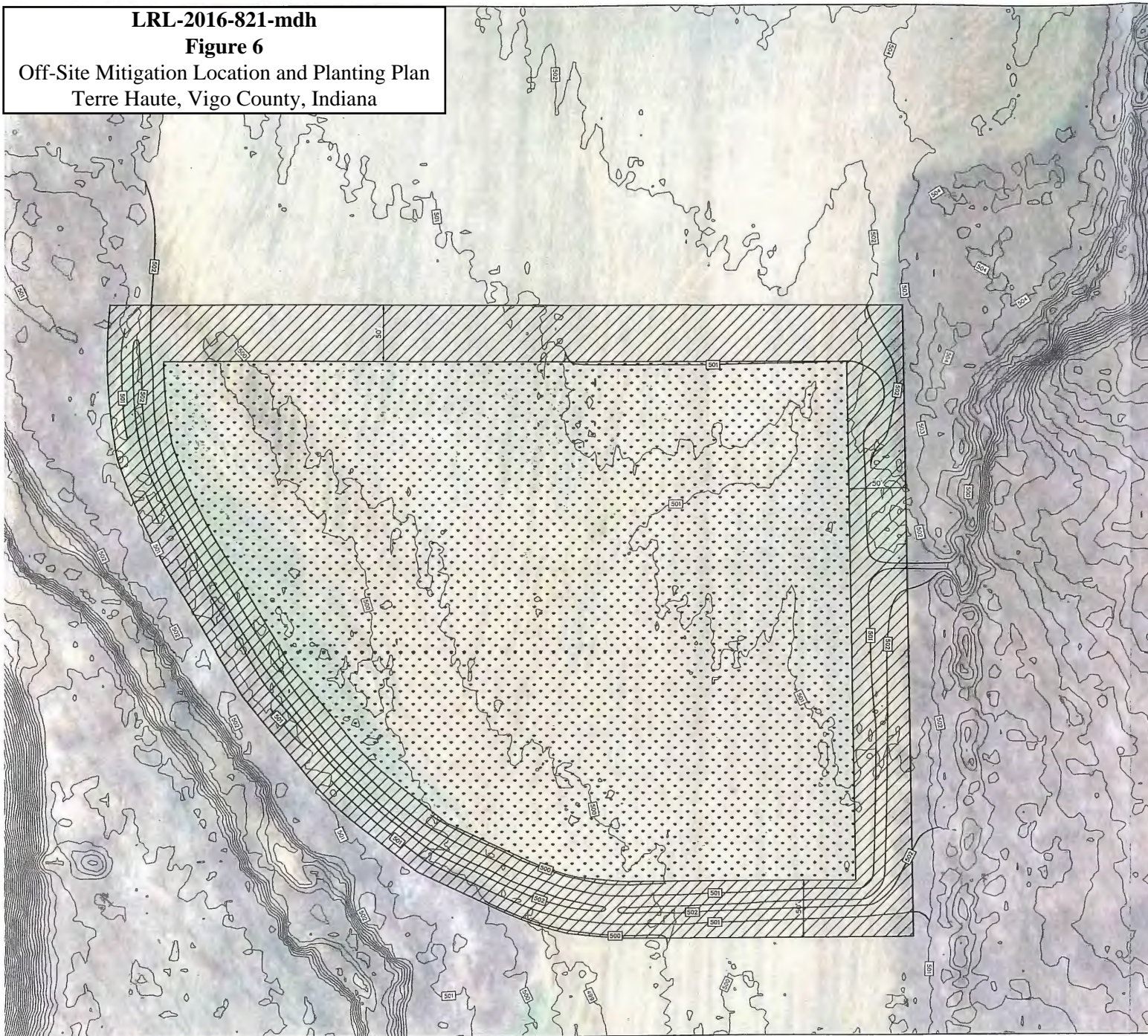
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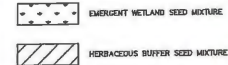
LRL-2016-821-mdh

Figure 6

Off-Site Mitigation Location and Planting Plan
Terre Haute, Vigo County, Indiana



PLANTING LEGEND



CITY OF TERRE HAUTE
DEPARTMENT OF
REDEVELOPMENT

17 HARDING AVE
TERRE HAUTE, IN 47807



AMERICAN
STRUCTUREPOINT
INC.
7292 Stradland Station | Indianapolis, Indiana 46226
TEL: 317.547.6866 | FAX: 317.543.3279
www.structurepoint.com

NEW MARGARET
AVENUE PARCELS
MITIGATION SITE

SULLIVAN COUNTY,
INDIANA

CERTIFIED BY

ISSUANCE INDEX

DATE:
12/01/2016
PROJECT PHASE:
PERMITTING

REVISION SCHEDULE

NO.	DESCRIPTION	DATE

Project Number 2015.01666

PLANTING PLAN

C500